

Rental permit bylaw right solution

By PRISCILLA WHITE

AMHERST — I am a University of Massachusetts graduate who lives and works in Amherst. I am also a landlord with an owner-occupied home that includes a rear supplemental apartment that I rent to UMass students. It is a harmonious, mutually beneficial arrangement we all enjoy and it is an example of what would be possible if landlords would behave in ways recommended in the rental bylaw that will be discussed at spring Town Meeting.

Our neighborhood suffered a major blow last year when three nearby houses, all previously owner-occupied, were bought by an out-of-town investment company that handed them over to a rental management company. Let me explain the dramatic difference between this investment approach — I'll call it Business Plan Z — taken by an absentee landlord with no interest in the neighborhood. I'll contrast that with what I'll call Business Plan A. That is the approach taken by many local landlords, whether or not their rentals are owner-occupied, who have long-term relationships among neighbors and who do not sacrifice the quality of life to maximize monthly income.

I know one local investor, an example of Plan A, who lives in an adjacent home and visits the property regularly. He has forged relationships with neighbors as well as tenants and upholds a standard of responsible behavior for tenants.

Then there are the distant, profiteering investment companies (Business Plan Z) concerned only with extracting more than a fair market share from their properties. In two newly purchased homes (across the street and adjacent properties), an absentee owner and his management company violate bylaws by crowding students into illegal spaces. They have knowingly broken the law and asked students to cover up their violations. The ten-

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ants were told to lie if an inspector came and to claim, falsely, that the "owner" lived in a fake bedroom set up to cover his violation of the owner-occupy provisions in his zoning permit.

So every day, we look at seven cars and trucks crammed into a small driveway and deal with a property that supports parties and noise. Business Plan Z investors have no qualms about the disturbance for neighbors. Their business practices encourage behavior that disregards the quality of life for neighbors.

If I could magically create a town in which all owners, managers and landlords forge good relationships between neighbors and tenants, there would be no need for a rental bylaw. But instead I see the importance of a clear rental permit process that lays out expectations for all.

The bylaw will enhance property values and assure quality of life in neighborhoods for homeowners and tenants. The permitting establishes clear guidelines for absentee owners and large management companies to follow responsible practices. It will enable the town to identify and hold accountable egregious, repeat violators.

A number of misleading claims have been made by those who oppose a rental permit system. The first is that what we have in place — a voluntary registration system and a largely unenforceable set of zoning and nuisance bylaws — is good enough.

My experience has been that the voluntary registration has been

mostly ignored, that the bylaws do not provide for inspection in cases of flagrant overcrowding or illegal basement rentals and that the nuisance bylaws are enforced on student violators, but not on landlords who have set up a situation ripe for noise and nuisance.

A second claim is that rental registration and permitting will create a bureaucracy and the fees will be hefty and passed on to renters. Now, we have one designated rental inspector for the whole town and the proposed system gets us only a second inspector.

The proposed system is mainly self-monitoring. Any inspections will be complaint-driven. The proposed fees are modest and I personally welcome the protection they will provide. My neighbors and I are paying more per year to hire private security patrols to help us manage weekend crowds and noise than I would pay under the permit fee that will reduce overcrowding.

Further, claims that the Zoning Board of Appeals process is onerous and slow-moving are off-base. I've been through the owner-occupancy ZBA permitting process and found it to be prompt, user-friendly and supportive of my proposal. The panel's members are local residents and are allies to homeowners who need to rent their properties, for whatever reason.

Overall, as a landlord and a neighbor, I am confident the proposed rental permitting system will enhance not reduce property values threatened by the chronic misbehavior we're trying to stem. The system will help keep families as long-term homeowners.

We finally have a proposal backed by the town and a neighborhood coalition that will help us reclaim our community while welcoming all residents. Let's move forward with this rental permit bylaw process to ensure our neighborhoods are safe havens for all who live here.

Priscilla White lives in Amherst.